

REMARKS**Summary of the Office Action**

Claims 24 and 26-27 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 21-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Miura et al. (U.S. Patent Application No. 2003/0087129) (hereinafter “Miura”) in view of Nishiki et al. (U.S. Patent No. 6,261,144) (hereinafter “Nishiki”).

Claims 21-23 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Komada (U.S. Patent No. 2001/0038894) (hereinafter “Komada”) in view of Fumihiro (JP 11-335820) (hereinafter “Fumihiro”).

Claims 24-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Miura in view of Nishiki, as applied to claim 21, and further in view of the allegedly “admitted prior art.”

Claims 26 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Miura in view of Nishiki, as applied to claim 21, and further in view of Konishi et al. (U.S. Patent No. 5,957,743) (hereinafter “Konishi”).

Claims 24, 26 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Komada in view of Fumihiro, as applied to claim 21 above, and further in view of Konishi for substantially the same reasons as applied to claims 26 and 27 above.

Claims 24-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Miura in view of Nishiki, as applied to claim 21, and further in view of Choi et al. (U.S. Patent Application No. 2002/0063525) (hereinafter “Choi”).

Claims 24, 26 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Komada in view of Fumihiro, as applied to claim 21 above, and further in view of Choi for substantially the same reasons as applied to claims 24-27 above.

Summary of the Response to the Office Action

Applicants have amended claims 21, 24, 26 and 27, and added new claim 28, to differently describe embodiments of the disclosure of the instant application's specification and/or to improve the form of the claims. Accordingly, claims 1-28 are currently pending with claims 21-28 currently under consideration.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 24 and 26-27 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have amended claims 24, 26 and 27 in light of the Examiner's comments at page 2, section 5 of the Office Action. Applicants respectfully submit that claims 24, 26 and 27, as amended, fully comply with the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. § 112, second paragraph be withdrawn.

Rejections under 35 U.S.C. § 102(e) and 103(a)

Claims 21-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Miura in view of Nishiki. Claims 21-23 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Komada in view of Fumihiro. Claims 24-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Miura in view of Nishiki, as applied to claim 21, and further in

view of the allegedly “admitted prior art.” Claims 26 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Miura in view of Nishiki, as applied to claim 21, and further in view of Konishi. Claims 24, 26 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Komada in view of Fumihiro, as applied to claim 21 above, and further in view of Konishi for substantially the same reasons as applied to claims 26 and 27 above. Claims 24-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Miura in view of Nishiki, as applied to claim 21, and further in view of Choi. Claims 24, 26 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Komada in view of Fumihiro, as applied to claim 21 above, and further in view of Choi for substantially the same reasons as applied to claims 24-27 above. Applicants have amended claims 21, 24, 26 and 27 to differently describe embodiments of the disclosure of the instant application’s specification and/or to improve the form of the claims. To the extent that these rejections might be deemed to apply to the claims as newly-amended, they are respectfully traversed for at least the following reasons.

The combination of features described in independent claim 21 of the instant application is directed to a method of forming a protection film on a substrate of a plasma display panel. The method includes (a) a feeding step to feed the substrate in a first direction in a vacuum atmosphere, and (b) a heating and evaporating step to heat and evaporate a plurality of evaporation sources. Newly-amended independent claim 21 of the instant application describes particular features in that at least one of the evaporation sources is located outside the display area in a second direction parallel to the display area and perpendicular to said first direction, and that the evaporation sources are positioned to face the display area of the substrate.

Applicants respectfully submit that as a result of these novel features, evaporated material can be supplied to all points of the display area from outside the display area in the second direction parallel to the display area and perpendicular to the first direction. Accordingly, a protecting film having an entirely uniform crystal alignment can be formed.

On the contrary, Applicants respectfully submit that although Miura discloses evaporation sources positioned to face a display area, no disclosure is described in Miura to any extent regarding at least one evaporation source located outside the display area in a second direction parallel to the display area and perpendicular to the first direction, as specifically described in newly-amended independent claim 21 of the instant application. Nishiki, whether taken separately or in combination with Miura, does not cure the deficiencies of Miura with regard to the combination of features described in newly-amended independent claim 21.

In addition, Applicants respectfully submit that Komada merely discloses a method of producing a gas barrier film on a base material by plasma CDV, and does not disclose a film forming method for a plasma display panel. Even further, while Komada discloses an evaporation source positioned to face a base material, there is no disclosure in Komada to any extent of at least one evaporation source located outside the display area in a second direction parallel to the display area and perpendicular to the first direction, as specifically described in the combination of features of newly-amended independent claim 21 of the instant application. Fumihiro, whether taken separately or in combination with Komada, does not cure the deficiencies of Komada with regard to the combination of features described in newly-amended independent claim 21.

Accordingly, Applicants respectfully submit that the advantageous and novel combination of features described in newly-amended independent claim 21 of the instant application would clearly not be rendered obvious to a person skilled in the art even in the face of the applied references including Miura and Komada.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. § 103(a) should be withdrawn because none of the applied references, whether taken singly or combined, teach or suggest each feature of independent claim 21, as amended. MPEP § 2143.03 instructs that “[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974).” Furthermore, Applicant respectfully asserts that dependent claims 22-27 are allowable at least because of their dependence from newly-amended independent claim 21, and the reasons set forth above. Moreover, Applicant respectfully submits that the additionally applied reference to Choi, with respect to claims 24-27, does not cure the deficiencies discussed above with regard to the remaining applied art of record.

Newly-added independent claim 28 is presented to differently describe embodiments of the disclosure of the instant application. Claim 28 includes similar features as discussed above with regard to independent claim 21. Accordingly, similar arguments also apply to newly-added independent claim 28.

CONCLUSION

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this

response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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